



TWEED
SHIRE COUNCIL

Mayor: Cr K Milne

Councillors: P Allsop
R Byrnes (Deputy Mayor)
C Cherry
R Cooper
J Owen
W Polglase

Addendum & Late Agenda

**Ordinary Council Meeting
Thursday 5 April 2018**

held at

**Council Chambers, Murwillumbah Civic & Cultural Centre,
Tumbulgum Road, Murwillumbah**

commencing at the conclusion of the Planning Committee meeting
which commences at 5.30pm.

Principles for Local Government

The object of the principles for Tweed Shire Council, as set out in Section 8 of the Local Government Amendment (Governance and Planning) Bill 2016, is to provide guidance to enable council to carry out its functions in a way that facilitates a local community that is strong, healthy and prosperous.

Guiding Principles for Tweed Shire Council

(1) Exercise of functions generally

The following general principles apply to the exercise of functions by Tweed Shire Council:

- (a) Provide strong and effective representation, leadership, planning and decision-making.
- (b) Carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Work with others to secure appropriate services for local community needs.
- (h) Act fairly, ethically and without bias in the interests of the local community.
- (i) Be responsible employers and provide a consultative and supportive working environment for staff.

(2) Decision-making

The following principles apply to decision-making by Tweed Shire Council (subject to any other applicable law):

- (a) Recognise diverse local community needs and interests.
- (b) Consider social justice principles.
- (c) Consider the long term and cumulative effects of actions on future generations.
- (d) Consider the principles of ecologically sustainable development.
- (e) Decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

(3) Community participation

Council should actively engage with the local community, through the use of the integrated planning and reporting framework and other measures.

Items for Consideration of Council:

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ADDENDUM ITEMS

REPORTS FROM THE DIRECTOR ENGINEERING

11 ADDENDUM [E-CM] RFO2018017 Major Flood Repair Work - Landslip Repairs Bundle 3

SUBMITTED BY: Infrastructure Delivery

Valid



People, places and moving around
Who we are and how we live

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 People, places and moving around
- 3.3 Moving around
- 3.3.4 Roads, Traffic, Footpaths and Cycleways - To provide and maintain a network of roads and bridges, footpaths and cycleways that is safe, efficient and accessible.

ROLE: **Provider**

SUMMARY OF REPORT:

Request for Offer RFO2018017 for Major Flood Repair Work - Landslip Repairs Bundle 3 was called from the market to source a suitably qualified contractor to design & construct slope stabilisation on eight (8) landslip sites within the Tweed Shire that occurred as a result of ex-Tropical Cyclone Debbie in March 2017.

At the time of closing six (6) Offers were received, two (2) Offers contained alternatives.

The evaluation of the offers against the Selection Criteria is contained in the Offer Evaluation Report included in **CONFIDENTIAL ATTACHMENTS 2 and 3**. The recommendations are based on the evaluation.

A map showing locations of the 8 sites within the Tweed Shire is included in Attachment 1.

RECOMMENDATION:

That in respect to Contract RFO2018017 Major Flood Repair Work – Landslip Repairs Bundle 3:

1. Council awards the offer to Geo Stabilise Pty Ltd (ABN 47 166 054 842), for the amount of \$430,340.55 (exclusive of GST).
2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council six monthly and at finalisation of the contract.
3. ATTACHMENTS 2 and 3 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret.

REPORT:

Offer Background

Request for Offer RFO2018017 for Major Flood Repair Work - Landslip Repairs Bundle 3 was called to engage a suitably qualified and experienced contractor to design & construct slope stabilisation on eight (8) sites as a result of damages caused by ex-Tropical Cyclone Debbie in March 2017.

The sites are located at:

- Urliup (Urliup Road, 1 site)
- Mount Warning (Mount Warning Road, 1 site)
- Uki (Kyogle Road, 2 sites)
- Midginbil (Midginbil Road, 1 site)
- Mount Burrell (Kyogle Road, 3 sites)

The above sites have been bundled together based on efficiency of packaging similar works together in order to obtain the most competitive Offer price from the market. Bidders were given the opportunity to price the most economical repair option as indicated in the geotechnical reports or alternative methods of repair that were deemed more economical by the market. A map showing locations of the sites is included in Attachment 1 of this report.

Works under the Contract will include the completion of design for review by Tweed Shire Council staff, obtain the necessary approvals and construction of the works to repair each of the landslips. Works will also include repairs to other items damaged at the same location such as kerb and gutters, guardrails, road surfaces and stormwater drainage.

Following award of the Contract, the contractor will confirm their construction program and any necessary road closures. The community will be given advanced warning of the works and road closures at this time.

Request for Offer Advertising

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. The Offer was officially advertised on Tuesday 27 February 2018 in The Sydney Morning Herald and Tweed Link, also on 24 February 2018 in Brisbane Courier Mail and Gold Coast Bulletin and on Council's website.

Offer Addendums

There was one (1) Notice to Bidders issued before close of Offer.

Addendum No. 1 was issued to confirm that the Contract Documents and exchange of Contracts will be completed electronically.

Offer Submissions

Offer submissions closed at 4.00pm (local time) on 21 March 2018 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

At the closing time for Offer submissions, the Tender Box was opened and six (6) offers were received. Two (2) offers contained alternatives. Offer submissions and alternatives were recorded as below:

| Bidder | ABN |
|-------------------------------------|----------------|
| Australian Marine and Civil Pty Ltd | 66 601 876 680 |
| GEO Stabilise Pty Ltd | 47 166 054 842 |
| GEO Stabilise Pty Ltd (Alternative) | 47 166 054 842 |
| Crosana Pty Ltd | 45 943 696 462 |
| HEH Civil Pty Ltd | 47 126 519 168 |
| HEH Civil Pty Ltd (Alternative) | 47 126 519 168 |
| Earthtec Pty Ltd | 25 093 558 582 |
| Pan Civil Pty Ltd | 37 001 992 963 |

Offer Evaluation

An Offer Evaluation Plan was developed based on the premise that competitive Offers were to be received and offers were scored against specific evaluation criteria in order to select the best value Offer.

Council's Offer Evaluation Panel was made up as follows:

| Position |
|--|
| Coordinator - Flood Restoration |
| Project Manager Flood (Contracts Consultant Public Works Advisory) |
| Project Engineer (Contracts Consultant Public Works Advisory) |
| Civil Design Engineer |

Offers were evaluated based on the criteria noted in the table below which were also listed in the Offer Evaluation Plan.

| Criterion | RFO Document Reference | Weighting (%) |
|---|------------------------|---------------|
| Value for Money (Normalised Offer Price) | Schedule 2 & 3 | 60 |
| Capability and Experience in Similar Works | Schedule 4 | 15 |
| Methodology and Program | Schedule 6 | 15 |
| Local Content (Development of Local Business/Industry) (Mandatory 10% assessment as per Policy) | Schedule 11 | 10 |
| | Total | 100 |

The details of the price and non-price evaluation are shown on the Offer Evaluation Report and Offer Evaluation Scoring Sheet. A copy of the Offer Evaluation Report and Offer Evaluation Scoring Sheet are included as ATTACHMENTS 2 and 3 which are CONFIDENTIAL in accordance with Section 10A(2):

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

The information identifies the Bidder in relation to the Offer price and the evaluation of the products offered by the Bidder. If disclosed, the information would be likely to prejudice the commercial position of the Bidder in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Offer.

OPTIONS:

That Council:

1. Council awards the offer to Geo Stabilise Pty Ltd (ABN 47 166 054 842), for the amount of \$430,340.55 (exclusive of GST).
2. Awards the Contract to a different Bidder, including reasons for this course of action.
3. Declines to accept any of the Offers, including reasons for this course of action.

CONCLUSION:

It is concluded, in regards to RFO2018017 for Major Flood Repair Work - Landslip Repairs Bundle 3 that the offer from Geo Stabilise Pty Ltd provides the best value for repairing the eight landslip sites.

COUNCIL IMPLICATIONS:

a. Policy:

The Offer invitation and evaluation have been conducted in accordance with the provisions of:

- The Local Government Act 1993 and the NSW Local Government (General) Regulation 2005
- Council's Procurement Policy v1.6

b. Budget/Long Term Financial Plan:

The majority of flood damage items designated in RFO2018017 for Major Flood Repair Work - Landslip Repairs Bundle 3 are eligible for funding claims through NDRRA. The exact amount of NDRRA funding is unknown as it is subject to assessment by Roads and Maritime Services and Public Works Advisory. The continuation of flood restoration works is necessary and using contractors procured through this RFO process maximises the available NDRRA funding opportunity and minimises the impact on the financial position of Council. Any funding shortfall between the contract value and the available NDRRA funding will be met by the Infrastructure Asset Management Reserve or by delaying some items on the capital works program. The restoration site at Urliup Road has been included in this bundle of works for efficiencies of scale; it is not eligible for NDRRA funding but is included in Council's current budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

- Attachment 1. RFO2018017 – Bundle 3 Flood Repair Works Map (ECM5178067).
- (Confidential)* Attachment 2. RFO2018017 - Offer Evaluation Report (ECM5178035).
- (Confidential)* Attachment 3. RFO2018017 - Offer Evaluation Score Sheet (ECM 5178049).
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12 ADDENDUM [E-CM] RFO2018011 Major Flood Repair Work Bundle 4 - Land Slip Repairs by Soil Nails or Other

SUBMITTED BY: Infrastructure Delivery

Valid



People, places and moving around
Who we are and how we live

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 People, places and moving around
- 3.3 Moving around
- 3.3.4 Roads, Traffic, Footpaths and Cycleways - To provide and maintain a network of roads and bridges, footpaths and cycleways that is safe, efficient and accessible.

ROLE: Provider

SUMMARY OF REPORT:

Request for Offer RFO2018011 for Major Flood Repair Work, Landslip Repairs by Soil Nails or Other - Bundle 4 was called from the market to source a suitably qualified contractor to design & construct slope stabilisation on nine (9) landslip sites within the Tweed Shire that occurred as a result of ex-Tropical Cyclone Debbie in March 2017.

At the time of closing six (6) Offers were received, one (1) Offer contained an alternative.

The evaluation of the offers against the Selection Criteria is contained in the Offer Evaluation Report included in **CONFIDENTIAL ATTACHMENTS 2, 3 and 4**. The recommendations are based on the evaluation.

A map showing locations of the nine (9) sites within the Tweed Shire is included in Attachment 1.

RECOMMENDATION:

That in respect to Contract RFO2018011 Major Flood Repair Work, Landslip Repairs by Soil Nails or Other - Bundle 4:

- 1. Council awards Separable Portions 1 and 2 to Geo Stabilise Pty Ltd (ABN 47 166 054 842), for the amount of \$1,123,010.00 (exclusive of GST).**
- 2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council six monthly and at finalisation of the contract.**

3. **ATTACHMENTS 2, 3 and 4 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
- (d) **commercial information of a confidential nature that would, if disclosed:**
 - (i) **prejudice the commercial position of the person who supplied it, or**
 - (ii) **confer a commercial advantage on a competitor of the council, or**
 - (iii) **reveal a trade secret.**

REPORT:

Offer Background

Request for Offer RFO2018011 for Major Flood Repair Work, Landslip Repairs by Soil Nails or Other - Bundle 4 was called to engage a suitably qualified and experienced contractor to design & construct slope stabilisation on nine (9) sites as a result of damages caused by ex-Tropical Cyclone Debbie in March 2017.

The sites are located at:

- Dulguigan (Dulguigan Road, 1 site)
- Reserve Creek (Reserve Creek Road, 2 sites)
- Farrants Hill (Farrants Road, 3 sites)
- Duranbah (Eviron Road, 1 site)
- Fernvale (Fernvale Road, 1 site)
- Murwillumbah (Church St, 1 site)

The above sites have been bundled together based on efficiency of packaging similar works together in order to obtain the most competitive Offer price from the market. Bidders were given the opportunity to price the most economical repair option as indicated in the geotechnical reports or alternative methods of repair that were deemed more economical by the market. A map showing locations of the sites is included in Attachment 1 of this report.

Works under the Contract will include the completion of design for review by Tweed Shire Council staff, obtain the necessary approvals and construction of the works to repair each of the landslips. Works will also include repairs to other items damaged at the same location such as kerb and gutters, guardrails, road surfaces and stormwater drainage.

Following award of the Contract, the contractor will confirm their construction program and any necessary road closures. The community will be given advanced warning of the works and road closures at this time.

Request for Offer Advertising

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. The Offer was officially advertised on Tuesday 20 February 2018 in The Sydney Morning Herald and Tweed Link, also on 17 February 2018 in Brisbane Courier Mail and Gold Coast Bulletin and on Council's website.

Offer submissions closed at 4.00pm (local time) on 14 March 2018 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Offer Addendums

There was four (4) Notice to Bidders issued before close of Offer.

Addendum No. 1 was issued to insert a requirement for the contractor to pay the Building and Construction Industry Long Service Payment Corporation or the Corporation's agent, the amount of the long service payable in respect of the building and/or construction work under the Building and Construction Industry Long Service Payments Act, 1986; and produce to the Superintendent the document evidencing payment of the levy.

Addendum No. 2 was issued to add an additional site A3825 Farrants Road to the scope of works.

Addendum No. 3 was issued to revise the scope of site DP00022 Church Street.

Addendum No. 4 was issued to confirm that the Contract Documents and exchange of Contracts will be completed electronically.

Offer Submissions

At the closing time for Offer submissions, the Tender Box was opened and six (6) Offers were received. One (1) Offer contained an alternative. Offer submissions and alternatives were recorded as below:

| Bidder | ABN |
|-------------------------------------|----------------|
| Australian Marine and Civil Pty Ltd | 66 601 876 680 |
| GEO Stabilise Pty Ltd | 47 166 054 842 |
| GEO Stabilise Pty Ltd (Alternative) | 47 166 054 842 |
| Crosana Pty Ltd | 45 943 696 462 |
| Roman Contractors Pty Ltd | 48 122 536 770 |
| Earthtec Pty Ltd | 25 093 558 582 |
| Pan Civil Pty Ltd | 37 001 992 963 |

Offer Evaluation

An Offer Evaluation Plan was developed based on the premise that competitive Offers were to be received and scored against specific evaluation criteria in order to select the best value Offer.

Council's Offer Evaluation Panel was made up as follows:

| Position |
|--|
| Coordinator - Flood Restoration |
| Project Manager Flood (Contracts Consultant Public Works Advisory) |
| Project Engineer (Contracts Consultant Public Works Advisory) |
| Civil Design Engineer |

Offers were evaluated based on the criteria noted in the table below which were also listed in the Offer Evaluation Plan.

| Criterion | RFO Document Reference | Weighting (%) |
|---|------------------------|---------------|
| Value for Money (Normalised Offer Price) | Schedule 2 & 3 | 60 |
| Capability and Experience in Similar Works | Schedule 4 | 15 |
| Methodology and Program | Schedule 6 | 15 |
| Local Content (Development of Local Business/Industry) (Mandatory 10% assessment as per Policy) | Schedule 11 | 10 |
| | Total | 100 |

The details of the price and non-price evaluation are shown on the Offer Evaluation Report and Offer Evaluation Score Sheets. A copy of the Offer Evaluation Report and Offer Evaluation Score Sheets are included as ATTACHMENTS 2, 3 and 4 which are CONFIDENTIAL in accordance with Section 10A(2):

- (d) commercial information of a confidential nature that would, if disclosed:
- (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

The information identifies the Bidder in relation to the Offer price and the evaluation of the products offered by the Bidder. If disclosed, the information would be likely to prejudice the commercial position of the Bidder in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Offer.

OPTIONS:

That Council:

1. Council awards Separable Portions 1 and 2 to Geo Stabilise Pty Ltd (ABN 47 166 054 842), for the amount of \$1,123,010.00 (exclusive of GST).
2. Awards the Contract to a different Bidder, including reasons for this course of action.
3. Awards Separable Portion 1 and Separable Portion 2 as individual Contracts to different Bidders.
4. Declines to accept any of the Offers, including reasons for this course of action.

CONCLUSION:

It is concluded, in regards to RFO2018011 for Major Flood Repair Work, Landslip Repairs by Soil Nails or Other - Bundle 4 that the offer from Geo Stabilise Pty Ltd for Separable Portions 1 and 2 provides the best value for repairing the nine (9) landslip sites.

COUNCIL IMPLICATIONS:

a. Policy:

The Offer invitation and evaluation have been conducted in accordance with the provisions of:

- The Local Government Act 1993 and the NSW Local Government (General) Regulation 2005.
- Council's Procurement Policy v1.6.

b. Budget/Long Term Financial Plan:

The majority of flood damage items designated in RFO2018011 for Major Flood Repair Work - Landslip Repairs by Soil Nails or Other Bundle 4 are eligible for funding claims through NDRRA. The exact amount of NDRRA funding is unknown as it is subject to assessment by Roads and Maritime Services and Public Works Advisory. The continuation of flood restoration works is necessary and using contractors procured through this RFO process maximises the available NDRRA funding opportunity and minimises the impact on the financial position of Council. Any funding shortfall between the contract value and the available NDRRA funding will be met by the Infrastructure Asset Management Reserve or by delaying some items on the capital works program. The restoration sites at Dulguigan Road site (A3882) and Farrants Road (site A3825) have been included in this bundle of works for efficiencies of scale; they are not eligible for NDRRA funding but are included in Council's current budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

- | | |
|-------------------------------------|---|
| Attachment 1 | RFO2018011 – Bundle 4 Flood Repair Works Map (ECM5182210). |
| <i>(Confidential)</i> Attachment 2. | RFO2018011 - Offer Evaluation Report (ECM5182814). |
| <i>(Confidential)</i> Attachment 3. | RFO2018011 - Offer Evaluation Scoring Sheet for Separable Portion 1 (ECM5182395). |
| <i>(Confidential)</i> Attachment 4. | RFO2018011 - Offer Evaluation Scoring Sheet for Separable Portion 2 (ECM5182401). |
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LATE ITEMS

REPORTS FROM THE GENERAL MANAGER

13 LATE [GM-CM] ED-EOI 01-2017 - Expression of Interest - Marketing, Promotion and Destination Management

SUBMITTED BY: General Manager

Valid



People, places and moving around
Who we are and how we live

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

| | |
|--------|---|
| 3 | People, places and moving around |
| 3.1 | People |
| 3.1.12 | Tourism - to market the Tweed as a tourism destination. |

ROLE: **Leader**

SUMMARY OF REPORT:

An Expression of Interest was called for interested parties to provide Marketing, Promotion and Destination Management (ED-EOI 01-2017) services to Council. This is the first step of a multi-staged process.

At the time of closing eight Expressions of Interest were received.

The evaluation of the offers against the Selection Criteria is contained in the EOI Evaluation Report included in **CONFIDENTIAL ATTACHMENT 1**. The recommendations are based on the evaluation.

Also attached, as **CONFIDENTIAL ATTACHMENT 2**, is the independent Probity Advisors Interim Probity Report with respect to the EOI Evaluation process.

RECOMMENDATION:

That, in respect to the Expression of Interest for Marketing, Promotion and Destination Management (ED-EOI 01-2017):

1. Council invites the nominated short listed proponents to submit a Tender for the provision of Marketing, Promotion and Destination Management Services (ED-RFT 01-2017), as recommended below (in alphabetical order):

| | |
|-------------------|--------------------|
| Amanti Tourism | NZBN: 9429045 |
| Destination Tweed | ABN 63 058 796 857 |
| DR Tourism | ABN 87 619 651 857 |
| Sparrowly Group | ABN 97 621 726 663 |
| The Monday Agency | ABN 87 611 335 490 |

2. Council engages Local Government Procurement to assist with the Request for Selective Tender process for the provision of Marketing, Promotion and Destination Management Services (Stage 2) to the successful shortlisted parties of the Expression of Interest (Stage 1).
3. ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because they contain:-
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

REPORT:

Expression of Interest Background

A public Expression of Interest (EOI) was released to the open market for interested parties to provide Marketing, Promotion and Destination Management (ED-EOI 01-2017) services to Council. This is the first step of a multi-staged process. Dependant on Council's decision resulting from this report, the second stage will be for the successful shortlisted respondents to the EOI to be invited to participate in the selective tender process.

At the time of closing, eight Expressions of Interest were received.

The EOI process was overseen by Local Government Procurement who were engaged to:

- Prepare EOI documentation
- Undertake advertising
- Co-ordinate EOI release
- Manage EOI process and communicate with tenderers
- Conduct Compliance Assessment
- Facilitate and Chair the EOI evaluation process

Additional to this an independent:

- Tourism specialist was engaged to provide advice and input into the EOI process. This advisor will remain engaged through the second stage, Request for Tender process.
- Probity advisor, who was engaged to advise on the development of and implementation of the probity plan, providing probity briefing to relevant stakeholders, attending, observing and providing probity advice during the EOI evaluation moderation and shortlisting meeting.

A non-mandatory EOI briefing was held on 7 March 2018 at Council offices in Murwillumbah. This briefing was conducted by Local Government Procurement and was overseen by the Probity Advisor to the project. All members of the Committee were present at this meeting.

Expression of Interest Advertising

EOIs were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. The Request for Offers was advertised from 27 February 2018 in Sydney Morning Herald, Gold Coast Bulletin and Tenderlink webpage. The Offer was also advertised in the Tweed Link and on Council's website.

EOI submissions closed at 4.00pm (DST) on 21 March 2018 through the online tender box process operated by Tenderlink and in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. The EOI / tender box process was managed by Local Government Procurement and was overseen by an Evaluation Committee member.

Expression of Interest Addendums

There were no addendums issued before close of EOI.

Expression of Interest Submissions

At the closing time for EOI Submissions, the Tender Box was opened and eight EOIs were received. EOIs are recorded below (in alphabetical order):

| Respondent | ABN |
|-------------------------------------|--------------------|
| Amanti Tourism Limited | NZBN: 9429045 |
| Destination Tweed Limited | ABN 63 058 796 857 |
| DR Tourism Pty Ltd | ABN 87 619 651 857 |
| Kingscliff Chamber of Commerce Inc. | ABN 62 450 938 508 |
| Miele D'Oro | ABN 54 506 108 215 |
| Sparrowly Group Pty Ltd | ABN 97 621 726 663 |
| The Copy Collective Pty Ltd | ABN 98 131 664 938 |
| The Monday Agency Pty Ltd | ABN 87 611 335 490 |

Expression of Interest Evaluation

An EOI Evaluation Plan was developed based on the premise that responses were to be received and scored against specific evaluation criteria.

Council's EOI Evaluation Panel was made up of:

Position

Local Government Procurement Representative (non-scoring Chair)
Economic Development Consultant
Economic Development Officer
Events Officer

The Independent Probity Advisor was present at the Panel meeting to provide probity advice, as required, and to oversee the probity of the assessment process. The Independent Probity Advisor participated in a non-scoring role.

EOI's were evaluated based on the criteria noted in the table below which were also listed in the Conditions of the EOI.

| Criterion | Weighting |
|---------------------------------------|-----------|
| Capacity | 25% |
| Capability | 25% |
| Marketing and Promotion Strategy | 25% |
| Reporting and Relationship Management | 25% |
| | 100% |

The details of the evaluation are shown on the EOI Evaluation Report. A copy of the EOI Evaluation Report is included as **CONFIDENTIAL ATTACHMENT 1**.

The information identifies the Respondent in relation to the EOI's and the evaluation of the services offered by the Respondent. If disclosed, the information would be likely to prejudice the commercial position of the Respondent in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the EOI.

Local Government Procurement – Request for Tender

At its meeting on 21 September 2017 Council resolved to engage Local Government Procurement to provide services to assist Council to undertake the EOI process (Stage 1). The second stage of this process will require Council inviting the shortlisted Respondents to submit a Tender. This will require full tender provisions to be undertaken through this process. This report recommends that Council engage Local Government Procurement to undertake (Stage 2) which is the advertising, administrative processes, and reporting of the Request for Selective Tender Services, as outlined in their original quote of 1 September 2017.

OPTIONS:

That Council:

1. Invites the nominated shortlisted respondents to submit a Tender for the provision of Marketing, Promotion and Destination Management Services (ED-RFT 01-2017), as recommended below (in alphabetical order):

| | |
|-------------------|--------------------|
| Amanti Tourism | NZBN: 9429045 |
| Destination Tweed | ABN 63 058 796 857 |
| DR Tourism | ABN 87 619 651 857 |
| Sparrowly Group | ABN 97 621 726 663 |
| The Monday Agency | ABN 87 611 335 490 |

2. Does not invite the nominated shortlisted respondents to submit a Tender for the provision of Marketing, Promotion and Destination Management Services (ED-RFT 01-2017), as recommended below (in alphabetical order):

| | |
|-------------------|--------------------|
| Amanti Tourism | NZBN: 9429045 |
| Destination Tweed | ABN 63 058 796 857 |
| DR Tourism | ABN 87 619 651 857 |
| Sparrowly Group | ABN 97 621 726 663 |
| The Monday Agency | ABN 87 611 335 490 |

3. Engages Local Government Procurement to assist with the Request for Selective Tender Services for the provision of Marketing, Promotion and Destination Management Services (Stage 2) to the successful shortlisted parties of the Expression of Interest (Stage 1).
4. Does not engage Local Government Procurement to assist with the Request for Selective Tender Services for the provision of Marketing, Promotion and Destination Management Services (Stage 2) to the successful shortlisted parties of the Expression of Interest (Stage 1).

CONCLUSION:

That Council endorses the recommendation contained within this report.

COUNCIL IMPLICATIONS:

a. Policy:

The EOI invitation and evaluation have been conducted in accordance with the provisions of:

- The Local Government Act 1993
- Local Government (General) Regulation 2005
- Council's Procurement Policy

b. Budget/Long Term Financial Plan:

The recommended engagement of Local Government Procurement services for Stage 2 is within the Economic Development Unit budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

The EOI was advertised in conformance with Council's Procurement Policy and the Local Government Act, as detailed in the body of the report.

A non-mandatory EOI briefing was held on 7 March 2018 at Council offices in Murwillumbah. This briefing was conducted by Local Government Procurement and was overseen by the Probity Advisor to the project. All members of the Committee were present at this meeting.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Local Government Procurement - EOI Evaluation Report (ECM 5186600).

(Confidential) Attachment 2. EOI Interim Probity Report (ECM 5185546).
